



IPW

PATENT  
Customer No. 22,852  
Attorney Docket No. 09430.0003-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Philippe HORELLOU et al. )  
Application No.: 10/614,794 ) Group Art Unit: 1632  
Filed: July 9, 2003 ) Prior Examiner: S. Priebe  
For: RECOMBINANT ADENOVIRUSES ) Confirmation No. 5150  
CODING FOR GLIAL-DERIVED )  
NEUROTROPHIC FACTOR )  
(GDNF) )

**MAIL STOP AMENDMENT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits.

Copies of the listed documents were previously submitted in a prior application, no. 08/904,872, filing date August 1, 1997, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 6, 2004

By: Steven P. O'Connor

Steven P. O'Connor  
Reg. No. 41,225



OMB No. 0651-0011

## INFORMATION DISCLOSURE CITATION

Appl. No.	09430.0003-02	Appln. No.	10/614,794
Applicant	Philippe HORELLOU <i>et al.</i>		
Filing Date	July 9, 2003	Group:	1632

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,670,488	09/23/97	Gregory <i>et al.</i>	514	44	
	5,994,106	11/30/99	Kovesdi <i>et al.</i>	435	91.4	
	6,245,330 B1	06/12/01	Horellou <i>et al.</i>	424	93.2	

## FOREIGN PATENT DOCUMENTS

	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
	2 688 514	09/17/93	FR			
	WO 94/08026	04/14/94	WIPO			
	WO 94/20146	09/15/94	WIPO			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Akli, <i>et al.</i> , Transfer of a foreign gene into the brain using adenovirus vectors, 1993, Nature genetics Vol. 3:224-228
	Baetge, <i>et al.</i> , Delivery of a Putative Parkinson's Factor (GDNF) Into the Rat CNS Using a Polymer-Encapsulated Cell Line, Molecular Biology of the Cell, 4:442A (1993)
	Breakefield, Gene delivery into the brain using virus vectors, Nature Genetics, 3:187-189 (1993)
	Culver, <i>et al.</i> , In Vivo Gene Transfer with Retroviral VEctor-Producer Cells for Treatment of Experimental Brain Tumors, Science, 256:1550-1552 (1992)
	Danos, <i>et al.</i> , Reimplantation de cellules genetiquement modifiees dans des neo-organes vascularises, Medicine/Sciences, 9(2):208-210 (1993)
	G. Ketner, <i>et al.</i> , Complimentation of Adenovirus E4 Mutants by Transient Expression of E4 cDNA and Deletion Plasmids, Nucleic Acids Research, 17(8):3037-48 (1989).
	Le Gal La Salle, <i>et al.</i> , An Adenovirus Vector for Gene Transfer into Neurons and Glia in the Brain, Science, 259:988-990 (1993)

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Atty. Docket No. 09430.0003-02	Appln. No. 10/614,794
Applicant Philippe HORELLOU <i>et al.</i>	
Filing Date July 9, 2003	Group: 1632

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Orkin, <i>et al.</i> , Report and Recommendations of the Panel to Assess the NIH Investment in Research on Gene Therapy, NIH (1995)
	Peschanski, <i>et al.</i> , Gene Transfer for Therapeutic Purposes in the Central Nervous System, Congress of the French Society of Hematology, Vol. 35, No. 3, 299-300 (1993)
	Reynolds, <i>et al.</i> , Central nervous system growth and differentiation factors: clinical horizons--truth or dare?, Current Opinion in Biotechnology 4:734-738 (1993)
	Ricordi, <i>et al.</i> , Cellular Transplants, 1991, Transplantation Proceedings, Vol. 23, No. 1:73-76
	Ridoux, <i>et al.</i> , Adenoviral Vectors as Functional Retrograde Neuronal Tracers, Brain Research, 648(1):171-175 (1994)
	Ridoux, <i>et al.</i> , The use of adenovirus vectors for intracerebral grafting of transfected nervous cells, NeuroReport, 5(7):801-804 (1994)
	Roemer, <i>et al.</i> , Concepts and Strategies for Human Gene Therapy, European Journal of Biochemistry, 208(2):211-225 (1992)
	Stratford-Perricaudet, <i>et al.</i> , Widespread Long-term Gene Transfer to Mouse Skeletal Muscles and Heart, Journal of Clinical Investigation, 90(2):626-630 (1992)
	Thompson et al, Heparin-binding growth factor 1 induces the formation of organoid neovascular structures in vivo; 1989, Proc. Natl. Acad. Sci. Vol. 86:7928-7932
	Zwiebel, <i>et al.</i> , Drug Delivery by Genetically Engineered Cell Implants, 1991, Annals of the New York Academy of Sciences, Vol. 618:394-404

Examiner	Date Considered
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce